

Serial No. 09/864,567  
Art Unit 3727  
Atty Dkt PP 5.52(L)

### REMARKS

Claims 1-30 were present in the application prior to the amendment presented herein. Claims 16, 19, 21, 22 and 24 have been amended herein. Claims 25-30 have been canceled. Claim 1-15, 17, 18, 20 and 23 remain in the application unchanged by this response. Accordingly, after entry of the amendment presented herein, claims 1-24 will be pending in the application. Reexamination and reconsideration are requested.

#### **I. Rejection of Claims 16-24 Under 35 U.S.C. §112, Second Paragraph**

Claims 16-24 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Reconsideration of the Examiner's rejection is requested.

The Examiner indicates that "a second sheet of plastic material" (claim 16, line 11) is unclear since a first sheet of plastic material was not previously defined. In response, applicant has amended claim 16 as follows:

A carton blank comprising:  
a first sheet of material comprising an inner surface and an oppositely disposed outer surface;  
said first sheet of material comprising a plurality of outer edges defining an outer periphery of said first sheet of material;  
said first sheet of material having a length defined between two of said outer edges of said first sheet of material;  
said first sheet of material having a width defined by another two of said outer edges of said first sheet of material, said width being perpendicular to said length;

Serial No. 09/864,567  
Art Unit 3727  
Atty Dkt PP 5.52(L)

a second sheet of ~~plastic~~ material covering a portion of said outer surface of said first sheet of material, said second sheet of material being formed of a plastic material;

said second sheet of ~~plastic~~ material comprising a plurality of outer edges defining an outer periphery of said second sheet of ~~plastic~~ material;

said second sheet of ~~plastic~~ material having a length defined between two of said outer edges of said second sheet of ~~plastic~~ material;

said second sheet of ~~plastic~~ material having a width defined by another two of said edges of said second sheet of ~~plastic~~ material, said width of said second sheet of ~~plastic~~ material being perpendicular to said length of said second sheet of ~~plastic~~ material;

wherein said length of said first sheet of material is equal to said length of said second sheet of ~~plastic~~ material; and

wherein said width of said first sheet of material is greater than said width of said second sheet of ~~plastic~~ material.

Accordingly, claim 16 now refers to a "first sheet of material" and a "second sheet of material" in what is believed to be a clear and definite manner. Dependent claims 16, 19, 21, 22 and 24 have also been amended herein to provide consistency with the amendments to claim 16.

## II. Claims 25-30

Claims 25-30, drawn to a non-elected invention, are canceled herein without prejudice or disclaimer with respect to applicant's right to re-present these claims in a continuing application.

Serial No. 09/864,567  
Art Unit 3727  
Atty Dkt PP 5.52(L)

### III. Allowable Subject Matter

The Examiner indicates, in paragraph 4 of the Office action, that claims 1-15 are allowed.

### IV. Amendment to the Specification

Applicant has amended the specification herein to update the reference to the parent application which has now issued as U.S. Patent No. 6,352,096.

In view of the above, all of the claims are believed to be in condition for allowance.

Respectfully submitted,

KLAAS, LAW, O'MEARA & MALKIN, P.C.

By 

Michael A. Goodwin, Reg. No. 32,697  
KLAAS, LAW, O'MEARA & MALKIN, P.C.  
1999 Broadway, Suite 2225  
Denver, CO 80202  
Telephone: (303) 298-9888  
Fax: (303) 297-2266  
Date: June 22, 2004